

REMARKS/ARGUMENT

By this amendment, Applicant has canceled claims 1-9, amended claims 10-14, and added new claims 15-26. Accordingly, claims 10-26 are pending. In light of the amendments and remarks set forth below, Applicant respectfully submits that each of the pending claims is in immediate condition for allowance.

In paragraph 2 of the Office Action, claims 1-9 are rejected under 35 U.S.C. § 112 as indefinite. These rejections are moot with respect to claims 1-9 as these claims have been cancelled.

In paragraph 4 of the Office Action, claims 1-3, 5-6, 10 and 12 are rejected under 35 U.S.C. § 102(a) as being anticipated by Murai et al., JP61224645A. These rejections are moot with respect to claims 1-3 and 5-6 as these claims have been cancelled. Applicant respectfully traverses these rejections with respect to claims 10 and 12.

Among the limitations of claims 10 as amended that are neither disclosed nor suggested by Murai is a method of transmitting data from a first telephone to a second telephone wherein the data transmitted includes “a first data field that includes a predetermined identifier code followed by a second data field that includes a telephone number.” Murai nowhere discloses or suggests that a second data field, following the first data field, be used to contain the desired telephone number to be sent, as further required by claim 10. Applicant thus respectfully submits that Murai does not anticipate claim 10. Withdrawal of the rejection of claim 10 as anticipated by Murai is therefore respectfully requested.

Claim 12 depends on independent claim 10 and includes all the limitations therein. Claim 12 recites additional limitations which, in combination with the limitations of claim 10, are neither disclosed nor suggested by Murai. Accordingly, withdrawal of the rejection of claim 12 as anticipated by Murai is therefore respectfully requested.

Further, to the extent that the reasoning for the § 102 rejection might be considered applicable to new claims 15-26, for the reasons given below Applicant respectfully suggests that it cannot.

New claims 15-26 contain three independent claims: 15, 20, and 26.

Independent claim 15 recites a telephone capable of transmitting information data wherein the data comprises “a first data field that includes a predetermined identifier code and a second data field that includes a telephone number.” Nowhere does Murai disclose or remotely suggest this feature. The explanation above with respect to independent claim 10 applies equally to independent claim 15. Thus, Applicant respectfully submits that Murai could not anticipate claim 15. Claims 16-19 all depend on claim 10 and contain all the limitations therein. The explanation above with respect to claim 15 is equally applicable to dependent claims 16-19. Thus, Applicant respectfully submits that Murai could not anticipate claims 15-19.

Further, independent claim 20, like independent claim 15, recites a telephone capable of transmitting information data wherein the data comprises “a first data field that includes a predetermined identifier code and a second data field that includes a telephone number.” Again, nowhere does Murai disclose or remotely suggest this feature. The explanation above with respect to independent 15 applies equally to independent

claim 20. Thus, Applicant respectfully submits that Murai could not anticipate claim 20. Claims 21-25 all depend on claim 20 and contain all the limitations therein. The explanation above with respect to claim 20 is equally applicable to dependent claims 21-25, which depend on independent claim 19. Thus, Applicant respectfully submits that Murai could not anticipate claims 20-25.

Further still, independent claim 26, like independent claims 15 and 20, recites a communications link between a sending telephone and a receiving telephone, adapted to permit the transfer of information data comprising “a first data field that includes a predetermined identifier code followed by a second data field that includes a telephone number.” Once again, nowhere does Murai disclose or remotely suggest this feature. The explanation above with respect to independent claims 15 and 20 is equally applicable to independent claim 26. As a result, claim 26 is not anticipated by Murai. Accordingly, Applicant respectfully submits that none of new claims 15-26 could be anticipated by Murai.

In paragraph 6 of the Office Action, claims 4, 7-8, 11 and 13 are rejected under 35 U.S.C. § 103 in view of Murai, in conjunction with taking Official Notice. Specifically, Official Notice is taken that a caller can make a call to a desired phone number upon a user instruction (claims 4 and 11), and Official Notice is taken that a phone number can be retrieved from memory depending upon a user’s instruction (claims 7-8 and 13). These rejections are moot with respect to claims 4 and 7-8 as they have been cancelled.

As explained above, Murai fails to show or remotely suggest the desirability of transmitting data from a first telephone to a second telephone wherein the data transmitted includes “a first data field that includes a predetermined identifier code followed by a second data field that includes a telephone number”, as required by independent claim 10. Dependent claims 11 and 13 in question contain the limitations of independent claim 10. Thus, if one were to combine the teachings of Murai with the Official Notice taken, one could not arrive at the present invention as recited in claims 11 and 13, and Official Notice cannot cure the deficiencies of Murai. Further, as the MPEP explains, Official Notice is appropriate only “[i]n limited circumstances” and “should be judiciously applied.” MPEP § 2144.03. Thus, it is respectfully suggested that claims 11 and 13 are not obvious over Murai in conjunction with taking Official Notice. Withdrawal of the rejections of claims 11 and 13 on this ground is therefore respectfully requested.

To the extent that the reasoning for the above § 103 rejection might be considered applicable to amended claims 10 or 12, or new claims 15-26, for the reasons given above Applicant respectfully suggests that it cannot.

In paragraph 7 of the Office Action, claims 9 and 14 are rejected under 35 U.S.C. § 103 as obvious over Murai in view of Shimoda, JP09233215A. The rejection of claim 9 is moot as it has been cancelled.

The Office Action states that “it would have been obvious to one of ordinary skill in the art to provide such a method of character-to-speech conversion, as discussed in Shimoda, to the telephone device of Murai.” As explained above, however, Murai fails to show or remotely suggest the desirability of transmitting data from a first telephone to a second telephone wherein the data transmitted includes “a first data field that includes a predetermined identifier code followed by a second data field that includes a telephone number”, as required by claim 10 of the present invention. Dependent claim 14 contains the limitations of claim 10. Thus, if one were to combine the teachings of Murai and Shimoda, one would not arrive at the present invention as recited in claim 14. Accordingly, it is respectfully suggested that claim 14 is not obvious over Murai in view of Shimoda. Withdrawal of the rejection of claim 14 as obvious over Murai in view of Shimoda is therefore respectfully requested.

To the extent that the reasoning for the above § 103 rejection might be considered applicable to amended claims 10-13, or new claims 15-26, for the reasons given above Applicant respectfully suggests that it cannot.

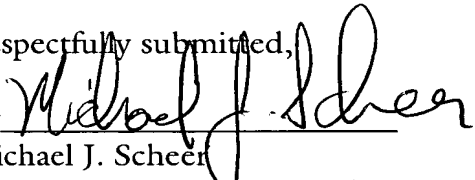
Applicant has canceled claims 1-9, mooted the rejections thereon based on 35 U.S.C. §§ 112, 102 and 103. Applicant has further shown that amended claims 10 and 12 are not anticipated under § 102 by Murai. Applicant has further shown that amended claims 11, 13 and 14 are not obvious under § 103 over Murai in conjunction with Official Notice, and that claim 14 is not obvious under § 103 over Murai in view of Shimoda. Additionally, Applicant has explained why new claims 15-26 are patentably distinct over the cited prior art. Withdrawal of the rejections to all claims pending in the present

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application is therefore respectfully requested as each of the pending claims is currently in condition for allowance. Finally, favorable consideration of new claims 15-26 is respectfully requested. In light of the foregoing, consideration and allowance of the application is earnestly solicited.

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